



WISCONSIN REGULATORY DIGEST

A Publication of the DEPARTMENT OF REGULATION AND LICENSING FOR WISCONSIN-REGISTERED INTERIOR DESIGNERS

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First Edition

Greetings! This is the first edition of the Regulatory Digest, relating to the regulation of Wisconsin-registered interior designers. As is the case for all credential holders of the Department, you will receive two issues of the Digest every year.

The purpose of the Regulatory Digest is to keep credential holders informed about changes in the statutes and administrative rules and to provide information about regulatory issues and concerns. We will give you registration statistics. Occasionally, we will tell you about complaints we receive and we will always tell you about disciplinary actions taken against credential holders. Incidentally, we haven't received any complaints yet. We may even have guest articles, especially from members of our advisory committee.

INTERIOR DESIGNERS ADVISORY COMMITTEE

Bill Bachman, Menomonee Falls
Brenda Brady, Middleton
Robert Epps, DeForest
Judy Gehl, Brookfield
Frank Grainer, Sr., Brookfield
Mary M Moser, Phillips
John Steinhafel, Sr., New Berlin
Walter L. Wilson, Milwaukee
Inge Winters, Cedarburg

Administrative Staff:

Cletus J. Hansen, Division Administrator

Executive Staff:

Marlene A. Cummings, Secretary
Patricia McCormack, Deputy Secretary
Myra Shelton, Executive Assistant

Interior Design Advisory Committee

After the new regulation of persons who wish to use the title "Wisconsin-Registered Interior Designer" became effective, Secretary Marlene Cummings created an advisory committee made up of members of the industry and of non-industry people who more broadly represent the public interest. The committee met 3 times within a rather short period of time and worked on the development of application forms, informational materials and new administrative rules. There were a few "road bumps" relating to the type of examination which must be completed by applicants for registration; however, in the end those who opposed several provisions withdrew their opposition and the implementation of the new regulation has gone very smoothly from the Department's perspective. Some readers may be tempted to say that it wasn't quite so smooth for them, because they had to quickly take and pass the building and barrier-free codes section of the NCIDQ exam before the end of the so-called "grandfather period." This was a window of opportunity for those who already had passed the building and barrier-free codes section of the NCIDQ exam **and** who either had certain combinations of education and experience as interior designers or had passed the complete NCIDQ or CQRID exam.

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DISCIPLINARY INFORMATION

Case Screeners and Advisors

Three of the advisory committee members were able to attend a Board Member Orientation Program and received training to act as screeners of complaints against registrants and to act as advisors to the Division of Enforcement in regard to investigative files which have been opened. As screeners, the 3 committee members, Bill Bachman, Walter Wilson, and Inge Winters, will review complaints with several departmental representatives and decide whether an investigative file should be opened. They will also give advice concerning the direction that the investigation should take. As advisors, these committee members will review investigative files and give advice concerning whether a case should be closed without discipline or whether disciplinary action should be taken.

PRACTICE ISSUES

Statistics

Wisconsin-Registered Interior Designers - 400

In-state 393

Out-of-state 7

Informational Brochure

Registrants and many other people have received an informational brochure which discusses requirements relating to the regulation of Wisconsin-registered interior designers. The brochure was revised a few months ago. To request a copy send a self-addressed and stamped envelope with a note, requesting the brochure. We will also send the brochure and an application form to any interested persons who request them. We'll provide the envelope and postage.

Have you noticed that we have continually used the term "Wisconsin-registered interior designer"? This term and the term "Wisconsin registered interior designers" describe the only people in the State of Wisconsin who must be registered by the Department. Persons who do not use these titles or make such representations may practice as interior designers without being registered.

Registration Fees

When the Department began registering interior designers, the registration fee was \$39 for all applicants except those seeking registration by reciprocity. The fee for the latter group is \$41. The new law also stated that the registration renewal date will be August 1, 1998, and the fee will be \$41. However, these fees often change in the Biennial Budget Bill. Such is the case with the current Budget Bill which was enacted as 1997 Wisconsin Act 27. The original registration fee is now \$41 and the renewal fee will be \$41. We will change our forms and informational materials.

Registration of Firms, Corporations and Partnerships

The current law has rather stringent conditions under which a firm, partnership or corporation may use the term "Wisconsin-registered interior designer" or "Wisconsin-registered interior designers" and advertise or represent that it provides the services of a Wisconsin-registered interior designer. It may only do so if at least one principal, partner or officer is an interior designer registered with the Department of Regulation and Licensing and the interior designer is responsible for the interior design services of the firm, partnership or corporation.

The advisory committee recommended, and Secretary Cummings agreed, that this law should be revised. Bill drafts have been prepared. We anticipate that a bill will be introduced in the Legislature and work its way through the legislative process. The bill would allow a firm, partnership or corporation to use the term and advertise or make representations if at least one employee meets the requirements stated above. This change is better tuned to the realities of the workplace in which some interior designers and their employers provide services.

VISIT THE DEPARTMENT'S WEB SITE AT
<http://badger.state.wi.us/agencies/drl/>
Send comments to Ann Larson
@alarson1.mail.state.wi.us

STATUTES AND ADMINISTRATIVE CODES

Administrative Rules

All or most registrants have received a copy of Chapter RL 130, Wis. Admin. Code. It is reproduced on Page 4 of this Regulatory Digest. Based on the nature of some of the recent phone calls received in our office, we have concluded that an explanation of the continuing education requirements is needed. Please refer to Section RL 130.03 on the last page and note the following commentary concerning each of the subsections, numbered from (1) to (8):

(1) An approved continuing education program is a program relating to interior design and approved by the entities identified in the rule. If there is any doubt about other bodies recognized by the Department, send a letter to the Department with information about the entity and its educational programs. The Department does not have to approve specific courses or instructors. The Department does not have a list of approved courses or instructors. We'd like to keep these matters simple, if possible. Note, too, that an "hour" is a 50-minute period.

(2) All registered interior designers, except those who initially register on or after February 1, 1998, must complete 9 hours of continuing education by August 1, 1998. Registrations will be renewed every 2 years. Those registrants who do not complete continuing education by the renewal deadline, may renew late, after having obtained the education; however, they will be required to pay a \$25 late renewal fee and they may not use the title during the time that they are not registered.

(3) Instructors of interior design courses may receive credit for instructing, as stated in the rule.

(4) The Department may grant an extension of time for completion of the continuing education only for the reasons stated in the rule. If you qualify for an extension and want one, please send a letter to the Department, providing documentation of reason for extension.

(5) When you renew your registration, you will be required to sign a statement on the back of the renewal application, confirming that you did complete the education and will provide proof to the Department if the Department requests such proof at a later date.

(6) Education providers should give you a certificate of completion. You must retain it for at least 5 years.

(7) This section again identifies the entities which may approve programs and instructors. They need not send any application forms to the Department or request that the Department issue a formal approval certificate. The Department expects that registered interior designers will be receiving notices in professional newsletters and mailings from course providers about the availability of courses which will satisfy the requirement.

(8) A person who is under a disciplinary order issued by the Department may not instruct in an approved educational program.

New Telephone System

The Division of Business Licensure & Regulation has installed a new menu telephone system which is designed to more efficiently direct the caller to the appropriate section. It has had some "bugs" and we apologize for that; however, we will keep fine-tuning it so that you will receive good service. The new telephone number for licensing staff is:

(608) 266- 5511

After dialing this number you are asked to press 1, 2, 3 or 4, followed by sub-menu numbers. For all practical purposes, these menu numbers and sub-menu numbers can be treated like extension numbers if you know the extension of the person you are calling. For the following requests, please press numbers as noted:

- Application Forms..... Ext. 11**
- Complaint Against Licensees..... Ext. 12**
- Verification of Licensure and**
- Name/Address Changes..... Ext. 21**
- Practice Questions..... Ext. 32**
- Application Processing**
- and Requirements..... Ext. 43**

REGULATORY DIGEST

Chapter RL 130 INTERIOR DESIGNERS

RL 130.01 Authority. The rules in ch. RL 130 are adopted pursuant to s. 227.11 (2), Stats., and ss. 440.962 (1) (e), 440.964, and 440.966 (2), Stats., and govern registered interior designers.

History: Cr. Register, January, 1997, No. 493, eff. 2-1-97.

RL 130.02 Examinations. (1) EXAMINATIONS RECOGNIZED BY THE DEPARTMENT UNDER s. 440.964 (1)(a), Stats. Under s. 440.964 (1) (a), Stats., an applicant for registration as an interior designer shall pass one of the following.

(a) The interior design examination of the national council for interior design qualification administered in 1990 or later.

(b) The building and barrier free codes section of the interior design examination of the national council for interior design qualification administered in 1990 or later, if an applicant has passed the examination of the national council for interior design qualification prior to 1990.

(c) The building and barrier free codes section of the interior design examination of the national council for interior design qualification administered in 1990 or later, if an applicant has passed the interior design examination of the council for qualification of residential interior designers.

(2) EXAMINATION REVIEW. An applicant who fails an examination under sub. (1) may request a review of the examination as permitted by the examination provider. If a review is permitted, the following conditions apply:

(a) The applicant shall file a written request to the department within 30 days of the date on which examination results were mailed and pay the fee under s. RL 4.05.

(b) An examination review is by appointment only and shall be limited to the time permitted by the examination provider.

(c) An applicant may not be accompanied during the review by any person other than the proctors.

(d) An applicant may not remove any notes from the examination area.

(3) PASSING SCORE. In order to pass an examination listed under sub. (1), an applicant shall receive a score determined by the department to represent minimum competence to practice. The department may adopt the passing score recommended by the examination provider.

(4) CHEATING. The department may deny release of scores or issuance of registration if the department determines that the applicant violated rules of conduct of the examination or otherwise acted dishonestly.

(5) REEXAMINATION. There is no limit on the number of times an applicant may be reexamined.

History: Cr. Register, January, 1997, No. 493, eff. 2-1-97.

RL 130.03 Continuing education. (1) In this section:

(a) "Approved educational program" means a program of education relating to the general subject matter of interior design that, together with its instructors, is approved by the American society of interior designers, the interior design continuing education council, the international interior design association, the

interior design education council, the interior designers of Canada, or other body recognized by the department.

(b) "Hour" means 50 minutes of classroom instruction.

(2) A registered interior designer shall attend and successfully complete at least 9 hours of an approved educational program before each renewal date. If a registered interior designer is initially registered less than 6 months before the first renewal date, the requirement of this subsection does not apply before the first renewal date.

(3) A registered interior designer who acts as an instructor of an approved educational program shall receive one hour of credit for each hour of teaching toward satisfaction of the educational requirement. A registered interior designer may not receive credit for teaching a specific approved educational program more than one time.

(4) The department may grant an extension of time for completion of the educational requirements for one of the following reasons:

(a) Health reasons which prevented attendance at the educational program.

(b) Active duty in the military service with assignment to a duty station outside Wisconsin.

(5) A registered interior designer shall certify that he or she has met the educational requirements when applying for renewal of the registration. The department shall withhold issuance of the renewal registration until the certification is provided.

(6) A registered interior designer shall obtain an individual certificate of completion from a program provider upon satisfactory completion of the approved educational program. Registered interior designers shall retain evidence of completion for at least 5 years from the date of completion. The department may require any registered interior designer to submit evidence of having completed the required hours of continuing education for the period specified in sub. (2).

(7) A program and its instructors shall be approved by the American society of interior designers, the interior design continuing education council, the international interior design association, the interior design education council, the interior designers of Canada, or other bodies recognized by the department. Each approved educational program shall relate to the general subject of interior design.

(8) An instructor whose registration as an interior designer has been limited, suspended, or revoked may not instruct in approved educational programs while the disciplinary action is in effect.

History: Cr. Register, January, 1997, No. 493, eff. 2-1-97.